



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

March 25, 2004

James E. Hartl, AICP  
Director of Planning

Honorable Board of Supervisors  
County of Los Angeles  
383 Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**SUBJECT: HEARING ON EXTENSION OF INTERIM ORDINANCE NO. 2003-0025U WHICH TEMPORARILY RESTRICTS THE DEVELOPMENT OF COMMERCIAL ZONED REAL PROPERTY IN UNINCORPORATED ROWLAND HEIGHTS IN THE COUNTY OF LOS ANGELES (4-VOTES).**

**IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:**

Adopt the attached Interim Ordinance extending Interim Ordinance No. 2003-0025U for a period of one year.

**PURPOSE OF RECOMMENDED ACTION:**

With the adoption of Interim Ordinance No. 2003-0025U, the Board found that future development of commercially zoned property in the unincorporated community of Rowland Heights may adversely impact the public health, safety, and general welfare of the community. The Board also directed the Department of Regional Planning to meet with representatives of the Rowland Heights Community Coordinating Council (RHCCC) and with members of the business community in Rowland Heights to discuss their concerns regarding the proposed amendment to the Rowland Heights Community Standards District Ordinance (CSD) prior to its final consideration of a permanent ordinance. Staff met with the RHCCC and members of the business community and held several Regional Planning Commission public hearings. The various interest groups have also held several meetings to resolve their differing views. Community members and staff are continuing to discuss revisions to the proposed ordinance amendment. The extension of Interim Ordinance No. 2003-0025U will allow the community members and staff sufficient time to make the appropriate revisions to the proposed permanent ordinance amending the existing Rowland Heights CSD prior to Board consideration. The extension of the interim ordinance will also allow the Board sufficient time to review and hear the proposed permanent amendment to the Rowland Heights CSD prior to its final action.

**JUSTIFICATION OF RECOMMENDED ACTION:**

The urgency measure will expire on April 27, 2004, unless extended by Board action. A commercial property study was completed prior to the adoption of the Interim Ordinance. The study concluded that there is potential for significant additional development. The amendment to the existing CSD would address the need for additional regulation of development meeting specific requirements. If this urgency ordinance is not extended, development may be approved and constructed in conflict with any permanent amendments to the CSD.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS:**

Pursuant to Section 65858 of the Planning and Zoning Law (Title 7 of the California Government Code), Interim Ordinance No. 2003-0025U was adopted by the Board on April 29, 2003. The urgency measure temporarily prohibits development of commercially zoned real property surpassing the prescribed thresholds in the unincorporated community of Rowland Heights, unless a conditional use permit is first issued. It was extended by Interim Ordinance No. 2003-0035U on June 10, 2003 for a period of ten (10) and one half months. State law permits an additional one year extension subsequent to the original ten and one half months extension.

In view of the approaching expiration date, it is recommended that the Interim Ordinance be extended for one year as provided in Section 65858. Notice will be given pursuant to Section 65090 of the Government Code. The extension will prevent a lapse of interim provisions prior to the adoption and effective date of any permanent zoning ordinance change to the Rowland Heights CSD to address commercial development and the resulting impacts in the unincorporated community of Rowland Heights.

Extension of this ordinance requires that the Board conduct a public hearing at which time the ordinance may be extended by not less than a four-fifths vote. Publication of a notice of the public hearing is required not less than ten (10) days prior to the hearing date.

This proposed Interim Ordinance has been reviewed by County Counsel. A suggested notice of public hearing and a list of persons to be notified are attached.

Respectfully Submitted,

**DEPARTMENT OF REGIONAL PLANNING**

  
James E. Hartl, AICP  
Director of Planning

JEH:JTM:aa

Attachments: Interim Ordinance Extension  
Sample public hearing notice  
List of persons to be notified

c: Lawrence Hafetz, Principal Deputy County Counsel  
Peter Gutierrez, Senior Deputy County Counsel



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

April 8, 2004

TDD  
(213) 633-0901  
TELEPHONE  
(213) 974-1876  
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Lhafetz@counsel.co.la.ca.us

James E. Hartl, Director  
Department of Regional Planning  
1390 Hall of Records  
320 West Temple Street  
Los Angeles, California 90012

**Re: Extension of Interim Ordinance No. 2003-0025U**

Dear Mr. Hartl:

As requested, enclosed are the analysis and ordinance extending Interim Ordinance No. 2003-0025U for a period of 12 months, to April 27, 2005. The Interim Ordinance temporarily regulates the use of commercially-zoned property in the community of Rowland Heights. It was extended once, and is currently scheduled to expire on April 27, 2004.

We understand that this extension ordinance is set for public hearing before the Board of Supervisors on April 20, 2004.

The ordinance and its analysis may be presented to the Board of Supervisors for its consideration.

Very truly yours,

OFFICE OF THE COUNTY COUNSEL

By 

LAWRENCE L. HAFETZ  
Principal Deputy County Counsel  
Public Works Division

LLH:di

Enclosure

HOA.229780.1

## ANALYSIS

This ordinance extends Interim Ordinance No. 2003-0025U ("Interim Ordinance") for a period of 12 months. It is the second extension of the Interim Ordinance, which was originally adopted on April 29, 2003, and extended on June 10, 2003, by Ordinance No. 2003-0035U. The Interim Ordinance, as extended, expires on April 27, 2004.

The Interim Ordinance temporarily regulates the use of commercially-zoned properties in the Rowland Heights community while amendments to the Rowland Heights community standards district are considered.

This second extension ordinance is an urgency measure and requires a four-fifths vote by the Board of Supervisors. It expires on April 27, 2005.

OFFICE OF THE COUNTY COUNSEL

By   
LAWRENCE L. HAFETZ  
Principal Deputy County Counsel  
Public Works Division

LLH:di

**ORDINANCE NO. \_\_\_\_\_**

An ordinance extending Interim Ordinance No. 2003-0025U, temporarily regulating the use of commercially-zoned real property in the community of Rowland Heights, consisting of portions of Puente Zoned District Number 76, San Jose Zoned District Number 21, and Walnut Zoned District Number 52, in the unincorporated territory of the County of Los Angeles, declaring the urgency thereof, and that this ordinance shall take effect on April 27, 2004.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Pursuant to section 65858 of the California Government Code ("Govt. Code"), the Board of Supervisors, having held a public hearing, hereby extends Interim Ordinance No. 2003-0025U ("Interim Ordinance") for a second time to April 27, 2005. The Interim Ordinance provides that, except for buildings or structures for which a valid building permit was issued prior to the effective date of the Interim Ordinance, the following types of development in a commercial zone in the Rowland Heights area, as described in Section 5 below, shall be prohibited, unless a conditional use permit is first obtained pursuant to Part 1 of Chapter 22.56 of the Los Angeles County Code ("County Code"):

- (a) Construction of a one-story structure exceeding 10,000 square feet;
- (b) Construction of a two or more-story structure;
- (c) Addition(s) to an existing structure resulting in two or more stories;
- (d) Addition(s) to an existing structure exceeding 5,000 square feet; or

(e) Modification(s) to an existing structure and/or intensification of use which results in a 25 percent or greater increase in the occupancy load of the affected structure for single-occupancy structures or which results in a 25 percent or greater increase in the occupancy load of the affected unit for those structures with multiple-tenant units.

**SECTION 2.** The Interim Ordinance was adopted on April 29, 2003, and was extended on June 10, 2003, by Ordinance No. 2003-0035U. It currently is scheduled to expire on April 27, 2004. Section 65858(a) of the Govt. Code provides that the Interim Ordinance may be extended a second time for an additional one-year term with a second extension ordinance.

**SECTION 3.** A commercial property study that considered possible permanent zoning ordinance amendments to the community standards district ("CSD") for the Rowland Heights area has been completed. The study concluded that there is potential for significant additional commercial development within Rowland Heights which may exacerbate the existing traffic and circulation problems in the area and thereby cause hazards to pedestrians and motorists. It also found that further commercial development may detract from the physical appearance and condition of the entire community. The Regional Planning Commission has considered the study's recommendations and has recommended to the Board of Supervisors that additional regulation of commercial development on commercially-zoned properties be adopted. Unless this second extension of the Interim Ordinance takes effect on or before April 27, 2004, the Interim Ordinance will be of no further force or effect, and new

building permits, site plans, or other applicable entitlements might be approved which could reasonably result in irreversible and incompatible land uses in the area. This would result in a detriment to the community's public health, safety, and welfare.

Accordingly, the Board of Supervisors finds that if this extension of the Interim Ordinance does not take immediate effect, development may occur and be in conflict with any permanent amendment to the CSD that may be adopted as a result of the Rowland Heights commercial property study. Such development may have a negative impact on traffic, circulation, and pedestrian and motorist safety, as well as be incompatible with the surrounding community. Hence, the Board of Supervisors finds that there is a current and immediate threat to the public health, safety, and welfare in the Rowland Heights area if any of the types of development described in Section 1 above occurs on commercially-zoned property absent adequate and reasonable zoning controls. The boundaries of the Rowland Heights area are set forth in Section 5 below.

By reason of the foregoing, this extension ordinance is urgently needed for the immediate protection of the public health, safety, and welfare, and shall take effect on April 27, 2004, the scheduled expiration date of Interim Ordinance, as extended.

**SECTION 4.** If any provision of this ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of the ordinance are hereby declared to be severable.

**SECTION 5.** The area subject to the provisions of this ordinance is coterminous with the area within the Rowland Heights CSD as set forth in subsection B of Section 22.44.132 of the County Code, as adopted by the Board of Supervisors on November 27, 2001, and amended on September 24, 2002, and contains portions of the Puente Zoned District Number 76, San Jose Zoned District Number 21, and Walnut Zoned District Number 52.



**NOTICE OF PUBLIC HEARING  
ON PROPOSED EXTENSION OF  
INTERIM ORDINANCE NO. 2003-0025U  
PREVIOUSLY EXTENDED BY  
INTERIM ORDINANCE NO. 2003-0035U**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held before the Board of Supervisors, in Room 381, Hall of Administration, 500 West Temple Street, Los Angeles, California at **9:30 a.m., on April 20, 2004**, pursuant to Government Code Section 65858, to hear testimony relative to the extension and possible modification of Interim Urgency Ordinance No. 2003-0025U for a period not to exceed one year.

Said ordinance temporarily prohibits the development of commercially zoned real property surpassing the prescribed thresholds in the unincorporated community of Rowland Heights, unless a conditional use permit is first issued.

The interim urgency ordinance is applicable to the unincorporated Rowland Heights area in the First and Fourth Supervisorial Districts. The area is generally described as follows: located on the northern side of the Puente and Chino Hills and generally south of the Pomona Freeway; the community boundary extends from the City of Industry on the north to Orange County on the south; the City of Diamond Bar forms the eastern boundary; and the western boundaries generally consist of Hacienda Heights and the City of La Habra Heights.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call Julie Moore at (213) 974-6425 between 7:30 a.m. and 6:00 p.m., Monday through Thursday.

**"ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least three business days notice".**

如閣下看不懂這份傳單或是需要進一步資訊，請電

(213) 974-6461

**Si no entiende este aviso o necesita mas informacion, por favor llame este numero (213) 974-6425.**

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VIOLET VARONA-LUKENS  
EXECUTIVE OFFICER-CLERK OF  
THE BOARD OF SUPERVISORS